

## REMARKS

This Amendment is pursuant to the Decision on Appeal by the Board of Patent Appeals and Interferences ("the Board") dated January 10, 2006. The Board reversed the provisional rejection under the judicially created doctrine of obvious-type double patenting over claims in copending Application No. 08/798,704; affirmed the rejection of claims 1, 21-27 and 31; and reversed the rejections of claims 28-30.

Applicant respectfully traverses the affirmation of the rejection of claims 1, 21-27 and 31. However, and solely for the purpose of expediting the prosecution of this application, Applicant has rewritten claim 28 in independent form and corrected the typographical error noted by the Board. Applicant has changed the dependencies of claims 1, 21-24, 30 and 31 to claim 28, along with conforming amendments. Claims 24-27 have been cancelled without prejudice. Applicant expressly reserves the right to reintroduce the amended and cancelled claims, and claims of similar and different scopes, in continuing applications without limitation or estoppel.

Claim 28 has been found to be allowable by the Board. The remaining claims are directly dependent upon claim 28 and are therefore allowable for at least the same reason. Applicant respectfully requests an early Notice of Allowance. Should there be any questions the undersigned can be reached at the telephone number set out below. In the event that any fee may be required, it may be charged to deposit account 50-3539.

Respectfully Submitted,



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